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UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

TIMOTHY BLACKBEAR, as guardian
and father of Brandi Blackbear, a minor;
BRANDI BLACKBEAR; TONI
BLACKBEAR, as mother and guardian of
Brandi Blackbear, a minor,

Plaintiffs - Appellants,

v.

JACK OJALA, in his individual and
official capacity; CATHERINE MILLER,
in her individual and official capacity;
CHARLIE BUSHYHEAD, in his
individual and official capacity; SANDY
FRANKLIN, in her official capacity;
PHILIP BARR, in his individual and
official capacity; WILLIAM BRUNER, in
his individual and official capacity;
DEREK RADER, in his individual and
official capacity; JAMES WILLIAMS, in
his individual and official capacity;
INDEPENDENT SCHOOL DISTRICT
NO. 9 OF TULSA COUNTY,
OKLAHOMA (UNION PUBLIC
SCHOOLS), SUED AS UNION PUBLIC
SCHOOL INDEPENDENT DISTRICT
NO. 9, TULSA COUNTY, TULSA
OKLAHOMA; SCOTT MCDANIEL;
CATHY BRUDEN,

Defendants - Appellees.

Nos. 02-5110
02-5130
(D.C. No. 00-CV-922-EA)

A true copy
Teste

Patrick Fisher
Clerk, U.S. Court of
Appeals, Tenth Circuit

By Opalea Carter
Deputy Clerk

FILED
DEC 02 2002
Phil Lombardi, Clerk
U.S. DISTRICT COURT

ORDER

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Filed November 22, 2002

14x to 104

In accordance with Rule 33.1, Rules of the Tenth Circuit, and upon consideration of the motion to dismiss these appeals,

IT IS ORDERED that the above appeals be and hereby are dismissed pursuant to Rule 42(b), Federal Rules of Appellate Procedure. Each party shall bear its own costs on appeal. A certified copy of this order shall stand as and for the mandate of the court.

Entered for the Court

PATRICK FISHER, Clerk

by: Opala Carter
Deputy Clerk

United States Court of Appeals for the Tenth Circuit
OFFICE OF THE CLERK
Byron White United States Courthouse
1823 Stout Street
Denver, Colorado 80257
(303)844-3157

Patrick J. Fisher, Jr.
Clerk of Court

Jane B. Howell
Chief Deputy Clerk

November 22, 2002

Mr. Phil Lombardi
Clerk
United States District Court for the N. District of Oklahoma
333 W. Fourth Street
Room 411 United States Courthouse
Tulsa, OK 74103

Mr. John M. Butler
Mr. William C. Plouffe, Jr.
Carlos L. Williams
John Mack Butler & Associates
6846 S. Canton, Suite 150
Tulsa, OK 74136

Mr. J. Douglas Mann
Mr. Jerry A. Richardson
Bryan Keith Drummond
Mr. William A. Caldwell
Rosenstein, Fist & Ringold
525 S. Main, Suite 700
Tulsa, OK 74103

Re: 02-5110, Blackbear v. Ojala
02-5130, Blackbear v. Ojala
Dist/Ag docket: 00-CV-922-EA,

Dear Mr. Lombardi and Counsel:

The court filed an order today dismissing these cases. A copy of the order is enclosed for all parties.

Also enclosed for the district court clerk or for the named agency, is a certified copy of the dismissal order which is issued as the mandate of the court. Please file it in the records of the district court or agency.

The clerk of the district court is requested to acknowledge receipt of this mandate by file stamping and returning the enclosed copy of this letter. Any original record will be returned to you at a later date.

RECEIVED
DEC 02 2002
Phil Lombardi, Clerk
U.S. DISTRICT COURT

Please contact this office if you have questions.

Sincerely,

PATRICK FISHER
Clerk

By: *Opal A. Carter*
Deputy Clerk

PF:oac